

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of New York

Elisa W., et al.

Plaintiff

v.

The City of New York, et. al.
(See Attachment A for full case caption)

Defendant

Civil Action No. 1:15-cv-5273 (LTS) (HBP)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Child Welfare Services on behalf of Sheila J. Poole, Acting Commissioner of the New York State Office of Children and Family Services, in her official capacity
Child Welfare Services
Kerri Barber, Director
Capital View Office Park, Room 115S
52 Washington Street
Rensselaer, NY 12144

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Julie A. North
Cravath, Swaine & Moore LLP
825 Eighth Avenue
New York, NY 10019

Jennifer Levy
Public Advocate for the City of New York
1 Centre Street, 15th Floor
New York, NY 10007

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 7/8/2015

/s/ L. Aquino

Signature of Clerk or Deputy Clerk

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AO 440 (Rev. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. 1:15-cv-5273 (LTS)(HPB)**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) CHILD WELFARE SERVICES ON BEHALF OF SHEILA J. POOLE, ACTING COMMISSIONER OF THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES, IN HER OFFICIAL CAPACITY, BY SERVING AND ACCEPTED BY KERRI BARBER, DIRECTOR

was received by me on (date) 7/9/2015

☒ I personally served the summons on the individual at (place) Capital View Office Park, 52 Washington Street

Room 115S, Rensselaer, NY 12144

on (date) 7/9/15 ; or

☐ I left the summons at the individual's residence or usual place of abode with (name) _____

_____, a person of suitable age and discretion who resides there,

on (date) _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on (name of individual) _____, who is designated by law to accept service of process on behalf of (name of organization) _____

on (date) _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other (specify): _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: 7/9/2015


Server's Signature

Corey Doyle - Process Server
Printed name and title

299 Hamilton Street
Albany, NY 12210

Server's address

Additional information regarding attempted service, etc:

82261

ATTACHMENT A TO SUMMONS

ELISA W., by her next friend, Elizabeth Barricelli; ALEXANDRIA R., by her next friend, Alison Max Rothschild; THIERRY E., by his next friend, Amy Mulzer; AYANNA J., by her next friend, Meyghan McCrea; OLIVIA and ANA-MARIA R., by their next friend, Dawn Cardi; XAVION M., by his next friend, Michael B. Mushlin; DAMEON C., by his next friend, Reverend Doctor Gwendolyn Hadley-Hall; TYRONE M., by his next friend, Bishop Lillian Robinson-Wiltshire; and BRITTNEY W., by her next friend, Liza Camellerie, individually and on behalf of a class of all others similarly situated, and LETITIA JAMES, the Public Advocate for the City of New York,

Plaintiffs,

-against-

THE CITY OF NEW YORK; the NEW YORK CITY ADMINISTRATION FOR CHILDREN'S SERVICES; GLADYS CARRIÓN, Commissioner of the New York City Administration for Children's Services, in her official capacity; the STATE OF NEW YORK; the NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES; and SHEILA J. POOLE, Acting Commissioner of the New York State Office of Children and Family Services, in her official capacity,

Defendants.